

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
September 20, 2010

The Tippecanoe County Commissioners met on Monday, September 20, 2010 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President David S. Byers, and Commissioner Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse.

Commissioner Knochel called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Byers moved to approve the minutes of the August 2, 2010 and the September 7, 2010 regular meetings as presented, second by Commissioner Murtaugh; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioners Assistant Frank Cederquist recommended approval of accounts payable vouchers for September 8, 9, 10, 15, and 20, 2010 without exception.

- Commissioner Murtaugh moved to approve the accounts payable vouchers as presented, second by Commissioner Byers; motion carried.

REGION 4 WORKFORCE DEVELOPMENT – Roger Feldhaus
Board Presentation

Executive Director of Tap Inc., Roger Feldhaus, representing the Region 4 Work Force board introduced board members Randy Vernon and Dr. John Schneider, Youth Services Team Leader Deb Provo, and Youth Services Recipient Erica Taylor. Mr. Feldhaus said that are 12 counties within District 4 including Tippecanoe County. Because of the economy, the number of people coming to WorkOne centers and express sites has increased, but is showing signs of improvement. There are hundreds of unemployed citizens coming through the REACH center, which caters to the needs of employers. Manufacturers do most of their permanent hiring through this program. An example is SIA who recently announced that they would be hiring 100 of their temporary employees permanently. Youth Services Team Leader Deb Provo said that the target age group is 16 through 21. "Choice Determines Destiny" is one of the largest programs offered, it is a scholarship program for seniors who will be the first generation to consider attending college. They participate in a variety of activities to prepare them to make good choices for their major and to assure that they know how to apply for financial aid. Over 300 youth have completed this program in an 8 county area. Participants receive a \$1,250 scholarship upon completion to be used for books or other school needs. "The Young Hoosier Conservation Corp" is in its second year and serves youth ages 18 to 24. "Jobs for America's Graduates" is for youth who are at risk of dropping out of high school. This past year 29 participants obtained their GED and 7 received their diploma. The Internship program consists of employers providing supervision and REACH providing the pay and liability insurance. Ms. Provo introduced Erica Taylor, a WorkOne program participant. Erica told her story of being a single parent and succeeding with the help received from WorkOne.

Commissioner Murtaugh thanked Erica for sharing her story.

Commissioner Knochel thanked Mr. Feldhaus and the board members for their contributions to the Work Force board.

HIGHWAY-Mike Spencer**Ordinance 2010-14-CM – Speed Limits on various County Roads, 2nd reading**

Executive Assistant Director Michael J. Spencer presented Ordinance 2010-14-CM for second reading. This will establish speed limits on various county roads.

- Commissioner Byers moved to hear Ordinance 2010-14-CM for 2nd reading, second by Commissioner Murtaugh; motion carried.

Assistant Director Michael J. Spencer said that the County has only heard from one citizen about this ordinance. A farmer had questions and concerns about the raising of the speed limit on South River Road. However, the studies show that the speed limits need raised.

Commissioner Knochel asked for public comment; there was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2010-14-CM passes 3-0 on 2nd and final reading.

Ordinance 2010-20-CM – County Code regarding Highway exceptions to Weight Limits

Assistant Director Michael J. Spencer presented Ordinance 2010-20-CM; this ordinance will establish an 18-ton weight limit on various roads including some of those roads bordering the Hoosier Heartland Corridor construction.

- Commissioner Byers moved to hear Ordinance 2010-20-CM on 1st reading as presented, second by Commissioner Murtaugh; motion carried.

Commissioner Knochel asked for public comment; there was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2010-20-CM passes 3-0 on first reading.

- Commissioner Byers moved to suspend the rules and hear Ordinance 2010-20-CM on 2nd reading, second by Commissioner Knochel; motion failed with a vote of 2 yea, 1 nay.

Performance Bond – Milestone Contractors for the South River Road Project

Assistant Director Michael J. Spencer presented a performance bond from Milestone Contractors for \$2,379,743.59 for work on the South River Road Project.

- Commissioner Murtaugh moved to approve the Performance Bond from Milestone Contractors as presented, second by Commissioner Byers; motion carried.

Payment Bond – Milestone Contractors for the South River Road Project

Assistant Director Michael J. Spencer presented a Payment Bond from Milestone Contractors for \$2,379,743.59 for work on South River Road Project.

- Commissioner Murtaugh moved to approve the Payment Bond from Milestone Contractors as presented, second by Commissioner Byers; motion carried.

Performance Bond – F & K Construction for 2010 Culvert Replacement Project

Assistant Director Michael J. Spencer presented a Performance Bond from F & K Construction for \$427,039.00 for work on the 2010 Culvert Replacement Project.

- Commissioner Byers moved to approve the Performance Bond from F & K Construction as presented, second by Commissioner Murtaugh; motion carried.

Payment Bond – F & K Construction for 2010 Culvert Replacement Project

Assistant Director Michael J. Spencer presented a Performance Bond from F & K Construction for \$427,039.00 for work on the 2010 Culvert Replacement Project.

- Commissioner Byers moved to approve the Payment Bond from F & K Construction as presented, second by Commissioner Murtaugh; motion carried.

Continuation Bond – HIS Constructors, LLC for Bridge 210 Project

Assistant Director Michael J. Spencer presented a Continuation Bond from HIS Constructors LLC for work on the Bridge 210 Project.

- Commissioner Murtaugh moved to approve the Continuation Bond from HIS Constructors, LLC as presented, second by Commissioner Byers; motion carried.

CARY HOME – Rebecca Humphrey

Multi Systemic Therapy (MST) Contract

Youth Services Director Rebecca Humphrey presented a contract with Multi Systemic Therapy (MST), which is the Medical University of South Carolina. MST is a home-based, evidence-based program used to reduce out of home placement, recidivism, re-arrest, and to help kids become a productive part of the community. This contract speaks to the County's commitment to the model and details the terms of performance and expectations. The Council has appropriated funds for this program. Attorney Luhman has reviewed the terms of the contract; it does have a 60 day opt out option. If future funding is not available for this program, the contract will not be renewed. Attorney Luhman stated that he has requested changes to the contract. Ms. Humphrey said that the requested changes have been agreed to and will be made before the finalization of the contract. The MST program replaces the re-entry program.

- Commissioner Murtaugh moved to approve the MST contract as presented with the requested changes made by Attorney Luhman, second by Commissioner Byers; motion carried.

MITS – Dave Sturgeon

Cell Phone Allowance Policy for MITS Department

Commissioner Murtaugh said that this policy gives employees an allowance of \$22 per month if that employee chooses to use their personal phone for work-related calls. This will reduce the cost of purchasing phones by the County for business use. For consistency, this policy is the same as the one in place for the Highway department.

- Commissioner Murtaugh moved to approve the Cell Phone Policy for the MITS Department as presented, second by Commissioner Byers; motion carried.

DISTRICT- 4 MUTUAL AID

Inter-local Government Agreement

Assistant Chief Lafayette Fire Department and Homeland Security Task Force Commander for District 4 Richard Doyle said that this agreement is between the different counties within District 4 and spells out any reimbursement charges that may occur, the responsibility for loss of life, equipment repair and many other items. Attorney Luhman stated that he had read the agreement and recommended approval.

- Commissioner Murtaugh moved to approve the District 4 Mutual Aid Agreement as presented, second by Commissioner Byers; motion carried.

GRANTS – Laurie Wilson

Grant Facilitator Laurie Wilson requested permission to accept a grant on behalf of the Drug Free Coalition for \$112,356. It is from the Indiana Family and Social Services Administration Division of Mental Health and Addiction Association. This is to continue the operations of the Drug Free Coalition and is part of their regular operating budget.

- Commissioner Byers moved to accept the Indiana Family and Social Services Administration Division of Mental Health and Addiction Association grant as presented, second by Commissioner Murtaugh; motion carried.

Grant Facilitator Laurie Wilson requested permission to accept a grant on behalf of the Drug Free Coalition for \$124,522. It is a federal grant from the Substance Abuse Mental Health Services Administration (SAMHSA) and is year two of funding.

- Commissioner Murtaugh moved to accept the SAMHSA grant as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Laurie Wilson requested permission to accept a grant on behalf of TEMA for \$80,000 from the Indiana Department of Homeland Security to fund training for the upcoming full-scale exercise. No equipment other than supplies will be purchased with this grant.

- Commissioner Byers moved to accept the Indiana Homeland Security grant as presented, second by Commissioner Murtaugh; motion carried.

Grant Facilitator Laurie Wilson requested permission to accept a grant on behalf of Superior Court 3 for \$20,000 from the Indiana Judicial Center. It will be used for the court improvement program CHINS. The match has been met with clerical cost.

- Commissioner Murtaugh moved to accept the Indiana Judicial Center grant as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Laurie Wilson requested permission to apply for a \$25,000 grant for Superior Court 3 from the Indiana Supreme Court. This is a continuation grant for the family court project.

- Commissioner Byers moved to grant permission to apply for a grant from the Indiana Supreme Court as presented, second by Commissioner Murtaugh; motion carried.

Grant Facilitator Laurie Wilson requested permission to apply for a \$10,000 grant for the Sheriff's Department from the Indiana Criminal Justice Institute for the purchase of recording equipment. There is no match.

- Commissioner Murtaugh moved to grant permission to apply for a grant from the Indiana Criminal Justice Institute as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Laurie Wilson requested permission to apply for a \$3,000 grant for District 4 from the Indiana Department of Homeland Security. This will fund the attendance of two people to the All Hazard Incidence Management in Denver, Colorado. There is no match.

- Commissioner Byers moved to grant permission to apply for the Indiana Homeland Security grant as presented, second by Commissioner Murtaugh; motion carried.

KIOSK AGREEMENT

Information Kiosk 4th & Main Street

Commissioner Murtaugh said this is an agreement between the County and the City of Lafayette for placement of a kiosk at the corner of 4th & Main Street that will point out places of interest within the city. However, an issue with insurance is pending. Therefore, it is recommended that this item be tabled until October.

- Commissioner Murtaugh moved to table this item until the October 4, 2010 meeting, second by Commissioner Byers; motion carried.

FAMILY DAY 2010

Proclamation

Commissioner Knochel, Commissioner Byers, and Commissioner Murtaugh read the proclamation claiming Monday September 27, 2010 as Family Day in Tippecanoe County.

See Appendix A

TIPPECANOE VILLA

- Commissioner Byers moved to accept applications for Charles E. Rogers, Violet R. Walker, Georgia Ashlock, Richard L. Atkinson, and Kay Carmichael to the Tippecanoe Villa, second by Commissioner Murtaugh; motion carried.

UNFINISHED BUSINESS

Commissioner Byers asked Attorney Luhman if the Spice/K2 ordinance also covers all of the small towns within the County such as Shadeland. Attorney Luhman stated that unless those towns have an ordinance pertaining to the Spice/K2 issue it does cover all of Tippecanoe County including those towns.

NEW BUSINESS

None

REPORTS ON FILE

Tippecanoe Ambulance Service

PUBLIC COMMENT

Jerry Scott, *West Lafayette*, said that a sign on the corner of Kerfoot Avenue and US 52 for the Blackthorne subdivision is in the State's right-of-way and twice the legal size permitted. After four months of complaining the sign was moved last Friday, but now appears to be closer to the highway. Mr. Scott asked the Commissioners why homebuilders are allowed to have twice the legal signage and stated, as a business owner, a larger sign would be desirable on his property. Mr. Scott also voiced his concerns that his property, which does accommodate his home and business, has been recently placed in the flood zone and if it is 51% destroyed by flood, tornado, or fire cannot be rebuilt. FEMA did not notify anyone that property in the area had been placed in a flood zone.

Building Inspector Ken Brown stated that the movement of the sign did take longer than expected. The crane service hired to move the sign went out of business and a new company had to be hired. The land was surveyed to assure that the sign would be placed in the proper area and the sign has been moved. It is within the legal limits at this time and is on land platted by the subdivision.

Commissioner Knochel agreed that FEMA should have notified property owners of the rezoning.

Commissioner Murtaugh encouraged Mr. Scott to attend a drainage board meeting. Adding that the Commissioners do appreciate any input from the public.

County Surveyor Zach Beasley said that FEMA is expected to send out notification of to all property owners being rezoned and placed in a flood zone. However since Tippecanoe County was one of the first counties that had the new maps published, it is possible that at that time they were not required to notify property owners.

John Bryan, *321 Walker Lane, Lafayette*, said that he is interested in purchasing property that adjoins his property and was for sale at the March tax sale. At that time, the property was being auctioned for \$3,400. The house did not sell at the tax sale, and has since been torn down. The sale price is now \$11,000. Mr. Bryan said that while he is interested in purchasing the property the sale price is now too much. He went on to ask the Commissioners for any help they could offer.

Commissioner Byers said the County did not demolish the structure on that property. The City of Lafayette is most likely responsible for the razing of the structure, which accounts for the sale price going up. Attorney Luhman said that if the City of Lafayette had the property demolished, they have a responsibility to the taxpayers to try to re-coop those tax dollars spent on the demolition. If that is the case then the property must be sold for the \$11,000 to cover the lien that the City of Lafayette has most likely placed on it.

Commissioner Murtaugh suggested Mr. Bryan attend the tax sale to find out what happens with the property.

Commissioner Byers moved to adjourn.

**BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE**

John L. Knochel, President

David S. Byers, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor

PROCLAMATION

Proclaiming the **Monday, September 27, 2010 as Family Day** in Tippecanoe County.

WHEREAS the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS 14 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

WHEREAS the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented; and

WHEREAS parents who are engaged in their children's lives-through such activities as frequent family dinners-are less likely to have children who abuse substances; and

WHEREAS family dinners have long constituted a substantial pillar of family life in American; and

WHEREAS on September 8, 2009, the Board of Commissioners of the County of Tippecanoe, State of Indiana proclaimed that the fourth Monday of every September shall be recognized as Family Day:

NOW, THEREFORE, BE IT PROCLAIMED by the Board of Commissioners of the County of Tippecanoe, that Monday, September 27, 2010 shall be recognized as

Family Day 2010 - A Day to Eat Dinner with Your Children™

And all citizens are urged to recognized and participate in its observance.

Adopted this 20th day of September 2010.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

John L. Knochel, President

David S. Byers, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor